

REMARKS

Claims 1-3 and 5-6, 8-10, and 12 are pending in the current application. Of those, claims 1, 9 and 10 are independent claims. Claims 1 and 9-10 are amended by this Response. New claim 12 is added by this Response. Claims 4, 7, and 11 are canceled.

Allowable Subject Matter

Claims 3, 5-7 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and nay intervening claims.

Entry of Amendment

Applicant respectfully submits that the claim amendments are believed to place the application in a condition for allowance. Claim 10 is amended to include the features of claim 11. Applicant notes that the features added to claim 10 in the Response filed July 17, 2007 are removed by the present Response, however, the features of claim 10 as amended were Examined in their entirety as claims 10 and 11 in the April 17, 2007 Office Action without the features added by Applicant to claim 10 in the July 17, 2007 Response. In particular, Applicant notes that the Examiner indicates in the April 17, 2007 Office Action that claim 11 is allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims without the features added by Applicant to claim 10 in the July 17, 2007 Response. Further, claims 1 and 9 are amended to include the features of claim 7, which contains allowable subject matter as indicated by the Examiner. Applicant notes that the features added to claims 1 and 9 in the Response filed July 17, 2007 are removed by the present Response, however, Applicant respectfully submits that claims 1 and 9 are amended only further

the prosecution of the present application and that the Examiner has already considered each of the features of claims 1 and 9 as amended in some form in the previous Office Actions. In particular, Applicant notes that the Examiner recites only the features of claim 7 at page 12 of the current Office Action to indicate the reasons for the indication of allowable subject matter of claim 7. Accordingly, Applicant respectfully submits that the amendments to the claims would require no further search by the Examiner, and therefore, Applicant respectfully requests entry of the amendments after final.

Claim Rejections – 35 U.S.C. § 103

Claims 1-2 and 8-10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamauchi et al (US 2001/0045988, hereinafter Yamauchi) in further view of Applicants Alleged Admitted Prior Art (AAPA). Applicant respectfully traverses this rejection.

Applicant respectfully submits that claim 10 is amended to include the features of claim 11 rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant notes that the features added to claim 10 in the Response filed July 17, 2007 are removed by the present Response, however, the features of claim 10 as amended were Examined in their entirety as claims 10 and 11 in the April 17, 2007 Office Action. In particular, Applicant notes that the Examiner indicated in the April 17, 2007 Office Action that claim 11 is allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1 and 9 are amended to include the features of claim 7, which contains allowable subject matter as indicated by the Examiner. Applicant notes that the features added to claims 1 and 9 in the Response filed July 17, 2007 are removed by the present Response; however, Applicant respectfully submits that the Examiner has already considered each of the features of

claims 1 and 9 as amended in some form in the previous Office Actions. Accordingly, the art cited by the Examiner fails to disclose the features of claims 1 and 9 as amended.

In view of the above, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By


Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/AAM: tlt